

FILED

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

19 DEC -6 PM 3:56

[Use this form to sue for employment discrimination. NEATLY print in ink (or type) your answers.]FOR THE NORTHERN DISTRICT
OF INDIANA

Linda Brooks

[You are the **PLAINTIFF**, print your full name on this line.]

v.

Avancez

[The **DEFENDANT** is who you are suing.]Case Number 1:19CV515[For a new case in this court, leave blank.
The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

EMPLOYMENT DISCRIMINATION COMPLAINT

1. My address is: 2505 Gay St.
Fort Wayne, IN 46803

2. My telephone number is: (313) 434-6549

3. The Defendant's address is: 12808 Stonebridge Road
Roanoke, IN 46783

4. This action is brought for employment discrimination pursuant to:

- ☒ Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17.
[race, color, gender, religion, national origin]
- ☒ Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 to 634.
- ☒ Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12112 to 12117.
- ☒ Other: Third party discrimination, African Americans were coerced to write false statements accusing me of threatening them.

5. I filed a charge of discrimination with the Equal Employment Opportunity Commission or the Indiana Civil Rights Commission on: 13 March 2019

6. The date on my Notice of Right to Sue letter is: 10 September 2019

7. The date I received my Notice of Right to Sue letter was: 11 September 2019

CLAIMS and FACTS

DO: Write a short and plain statement using simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how the defendant discriminated against you.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include social security numbers, dates of birth, or the names of minors.

DO: Number your paragraphs. [*The first paragraph has been numbered for you.*]

1. **HIRE DATE AEROTEK TEMPORARY SERVICE:** *Tuesday 26th June 2018 at 9:00am*

FIRST DAY on 3rd SHIFT WORKING AT AVANCEZ through AEROTEK TEMPORARY: *Thursday 28th June 2018 at 10:30pm*

HIRE DATE as a AVANCEZ EMPLOYEE: *Wednesday 26 September 2018 at 7:00am*

2. *Thursday 28th June 2018 3rd Shift during orientation/training* **Yessica Ayala (TRAINER for AVANCEZ)** asked all the participants in the orientation/training class to state their name and **“AGE,”** we all complied with her request by stating our name and **“AGE.”**

3. In July 2018 after completing orientation/training I was assigned to work as an ASSEMBLER, on the 3rd shift CONSOLE LINE at the CONTINUITY /FINAL INSPECTION STATION which was also my HOME STATION. I was also required to learn all the other stations on the CONSOLE LINE. My main tasks/duties included testing the electronics and inspecting each console before it would be shipped to General Motors. Therefore this meant if a co-worker did not properly the assemble console, I was required to report it to the team lead who would then repair the console. This position made me a target to be harassed by co-workers that fail the inspection. These disgruntled co-workers would come over to my station (CONTINUITY/FINAL INSPECTION) and shout profanity at me such as “FUCK YOU.” When I would report my co-workers misconduct to the team lead Liza Chambers (3rd shift console) and supervisor Al Calxie (3rd shift console), they did nothing to resolve the problem. Instead Liza Chambers and Al Calxie used these opportunities to gaslight my unfortunate circumstances instead of correcting these co-workers misconduct. Later I found out that Avancez Human Resources Manager Chad Pieper, HR staff member Kathy Marburger, Trainer Yessica Ayala, Manager Keith Reed, Quality Manager Carl-Phillip Doissant, 3rd Shift Supervisor Al Calxie, 3rd Shift Supervisor Steve McGuire, 3rd Shift Team Lead Liza Chambers, 2nd Shift Team Lead Brittany J. Tipton, ACTING 2209 UAW Committee Chairperson Theresa Bradin, 3rd shift Quality Control Tiffany Crawford, 3rd Shift Co-Workers, Paige, Leona Houston, Jermia Underwood, Christa Summers, Christeen Goodwyn, and LaDaisia Green, would work together in getting me **FALSELY TERMINATED FOR THREATEN AVANCEZ’S MANAGEMENT, STAFF, and CO-WORKERS.**

4 In May of 2019 Chairperson Theresa Bradin accused me of threatening UAW 2209 Vice-President Todd McKibben during a meeting with Avancez HR manager Kathy Marburger, **I DO NOT KNOW WHO ASKED ACTING 2209 UAW UNION COMMITTEE CHAIRPERSON THERESA BRADIN TO REPRESENT ME BUT I DID NOT WANT HER THERE, 2209 UAW VICE PRESIDENT TODD MCKIBBEN WAS THE REPRESENTATION I HAD REQUESTED FROM 2209 UAW.** During this meeting HR staff Kathy Marburger, she (Kathy Marburger) threaten, intimidated, interrogating, disrespected and harassed me continually as well as verbally abusing by specifically accusing me of **threatening 3 African American co-workers**, which did not happen. So I asked the UAW 2209 to **"please help me or do I have to go to another organization to receive help with this harassment."** Then Acting UAW 2209 Union Committee Chairperson Theresa Bradin said **"you just threaten Todd"** I replied **"I did not threaten Todd"** and HR staff Kathy Marburger stated **"yes you did, and I am going to terminate you"**, I looked at Todd and asked him **"did I threaten you?"** Todd replied **"NO"**. HR staff Kathy Marburger suspended me at this meeting and shortly after the suspension, HR Manager Chad Pieper terminated me for alleged threats I **"NEVER"** made to 3 African American co-workers which was never proven.

5 On Monday 29 October 2018 the attached **document #5** (AVANCE INCIDENT REPORT HOSTILE WORK ENVIRONMENT), documents the day I was told by team lead Liza Chambers, when she was being questioned by 3rd shift plant manager Keith Reed, who asked her "why is Linda not being allowed to train on other stations?" Liza Chambers replied **"BECAUSE THEY SAID/ FEEL SHE (me-Linda Brooks), WAS TOO OLD."** The next day Keith Reed approach me and asked me "I did you turn-in a written document to Human Resources about **"AGE"** discrimination an harassment, I replied yes, then he said you forgot to put your name on it, I said ok, where is it I will put my name on it now, the Keith Reed responded by saying **"DON'T WORRY ABOUT IT I WILL PUT YOUR NAME ON IT."** On 7 February 2019 I went HR **document #5** was missing from my personnel file. From 28 June through 31 October 2018 I was denied opportunity to receive training on other stations on the CONSOLE ASSEMBLY LINE BECAUSE OF MY **"AGE"**,

6 In February 2019 I became aware that the documented complaint I filed back in October of 2018 was never placed in my file. Prior to this discovery in October 2018 the day after I filed the report 3rd shift plant manager Keith Reed approached me and asked "did you turn in a document to Human Resources about harassment?" I replied "yes", then Keith Reed said you did not put your name on it." I said "ok I will go and put my name on it now", and he stated "I will put your name on it for you." Keith Reed confirmed this conservation in February 2019 in HR with Chad Pieper, Steve McGuire and myself present during the meeting when I was suddenly being ambushed by HR manager Chad Pieper and Steve McGuire about my **U.S. ARMY SERVICE CONNECTED DISABILITY.**

7 In February 2019 at this meeting with HR manager Chad Pieper, 3rd shift supervisor Steve McGuire, and my self I was ambushed. I asked Chad Pieper 3 times if I could speak to him without my supervisor Steve McGuire in the room, he said "NO." Chad Pieper's refusal left me no option I felt I needed to reveal to Chad Pieper that I was a U.S. Army service connected veteran with PTSD. After I revealed my disability to Chad Pieper he said "YOU JUST THREATEN STEVE," I said "HOW DID I THREATEN STEVE? Chad Pieper stated "YOU SAID YOU HAD PTSD AND THT ANYTHING COULD HAPPEN" I replied "I DID NOT SAY THAT." Chad Pieper prepared written disciplinary action stating that I had threaten supervisor Steve McGuire and said that "IF YOU DON'T SIGN IT I AM GOING TO TERMINATE YOU."

8 From June 2018 to May 2019 I noticed that Avancez had a very high turn-over rate in African American employees. There were several acts of misconduct weekly by management, staff, and co-workers. Profanity, racial slurs, and physically threatening behaviors when uncheck at Avancez, to the point that the police was called to the plant for violence. I reported being offended as a U.S. Army Veteran to my team lead Liza Chambers and supervisor Al Calxie that a white-co worker was allowed daily to display her large tattoo of **"HITLER"**, which disrespect all the veterans who die fighting against communism, they refused to take action about this matter.

9 From June 2018 to May 2019 I maintained a professional demeanor by staying at my work station keeping busy working even when there was no work. I was there when Avancez finally launched the company working hard everyday on time and working mandatory over-time and whenever it was requested AVANCEZ management staff of me. I DID NOT RECEIVE ANY DISCIPLINARY ACTION FROM AVANCEZ UNTIL **"AFTER"** I FILED THE **"AGE"**, INCIDENT COMPLAINT IN OCTOBER 2018 BECAUSE I WAS BEING DENIED THE RIGHT TO BE TRAINED ON OTHER STATION BECAUSE OF MY **"AGE"**

RELIEF – If you win this case, what do you want the court to order the defendant to do?

Removal of all the false disciplinary action removed from my personnel file.

Back pay from the time I was terminated.

Punitive damages, for mental and psychological abuse, because my goal was to work at Avancez until I was

At least 65 years old, but now I have become unemployable because of the false documents in my record.

DOCUMENTS – I have attached a copy of the following documents:

- ☒ Charge Of Discrimination form filed with the Equal Employment Opportunity Commission or the Indiana Civil Rights Commission
- ☒ Notice of Right to Sue letter
- ☒ Other: **1. EEOC Charge #470-2019-01848 and 2. EEOC Charge #24D-2019-00270 3. Notice of Right to Sue letter 4. Incident Report (Brittany J. Tipton) 5. AVANCEZ INCIDENT REPORT HOSTILE WORK ENVIRONMENT 6. Incident Report to (CEO, Kathy Nichols) 7. Incident Report (Christa Summers) 8. Affidavit AVANCEZ employee (Carol Hightire)**

FILING FEE – Are you paying the filing fee?

- ☒ Yes, I am paying the \$400.00 filing fee. I understand that I am responsible to notify the defendant about this case as required by Federal Rule of Civil Procedure 4. *[If you want the clerk to sign and seal a summons, you need to prepare the summons and submit it to the clerk.]*
- ☐ No, I am filing a Motion to Proceed In Forma Pauperis and asking the court to notify the defendant about this case.

[Initial Each Statement]

LB I will keep a copy of this complaint for my records.

LB I will promptly notify the court of any change of address.

LB I declare **under penalty of perjury** that the statements in this complaint are true.



Signature

Friday 6 December 2019

Date

<h2 style="margin: 0;">CHARGE OF DISCRIMINATION</h2> <p style="font-size: small; margin: 0;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="margin-top: 10px;"> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div style="text-align: right; margin-top: 10px;"> 470-2019-01848 </div> </div>	
and EEOC			
State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.) Ms. Linda Brooks		Home Phone (Incl. Area Code) (313) 434-6549	Date of Birth 12/23/1960
Street Address City, State and ZIP Code 2505 Gay Street, Fort, IN 46803			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name AVANCEZ		No. Employees, Members Unknown	Phone No. (Include Area Code) (260) 446-2172
Street Address City, State and ZIP Code 12808 Stonebridge Road, Roanoke, IN 46783			
Name 		No. Employees, Members 	Phone No. (Include Area Code)
Street Address City, State and ZIP Code 			
DISCRIMINATION BASED ON (Check appropriate box(es)) <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="margin-right: 10px;"><input type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> OTHER (Specify)</div> </div>		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 10-01-2018 03-12-2019 <div style="text-align: center; margin-top: 10px;"> <input checked="" type="checkbox"/> CONTINUING ACTION </div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)) <p>I began working for Avancez in June 2018, my immediate supervisor is Steven LNU, (approx. age 30) Supervisor.</p> <p>In October 2018, I asked Liza Chambers, (age approx. 30), Team Lead, why I was being over looked for training and she stated in front of Keith Reed (approx. age 30), that "They" said, I was too old. I complained to HR regarding the age-related comment and the refusal to provide training. I also provided a complaint to HR regarding Leona Houston (age approx. 25), that she frequently used profanity toward me and that she could train and was promoted to Team Lead, but has less seniority than I do.</p> <p>In February 2019, I was requested to train a co-worker that did not speak English. In order to train her I had to act out the job processes and activities. I was then called into the office by Chad Piper (approx. 30) along with my supervisor Steven, and counselled about the training I provided. In March 2019, I was suspended for a bad part that was sent to GM. Respondent had no proof or serial number to believe I had sent the part.</p> <p>I requested to have a few moments with Chad alone and I was denied. I then informed Chad and Steven that I had a disability and the side effects of that disability. Chad informed me that he had all</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Date </div> <div style="width: 45%;"> Charging Party Signature </div> </div>		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA

☒ EEOC

470-2019-01848

and EEOC

State or local Agency, if any

of my complaints, however, the age complaint was missing. Once I informed them of what my disability, I was retaliated against by being given a written warning allegedly for threatening Steve. I never threatened anyone.

Andrea Bouchard, Corporate came to the facility to discuss my complaints. Andrea was aware of my disability and my age complaint. Andrea told me if it's so bad then I need to find a job somewhere else.

I believe I have been discriminated against based on my age 58 (DOB Dec. 23, 1960) in violation of the Age Discrimination in Employment Act, and based on my disability and retaliated against for disclosing my disability which is a violation of the Americans with Disabilities Act, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Date

Charging Party Signature

NOTARY – When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☒ FEPA

EC-0080-A19

☒ EEOC

24D-2019-00270

City of Fort Wayne Metro Human Relations Commission

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Linda Brooks

Home Phone (Incl. Area Code)

(260) 456-5124

Date of Birth

1960

Street Address

City, State and ZIP Code

2505 Gay St., Fort Wayne, IN 46803

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

AVANCEZ

No. Employees, Members

Unknown

Phone No. (Include Area Code)

(260) 672-0097

Street Address

City, State and ZIP Code

12808 Stonebridge Road, Roanoke, IN 46783

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE
 ☐ COLOR
 ☐ SEX
 ☐ RELIGION
 ☐ NATIONAL ORIGIN
☒ RETALIATION
 ☐ AGE
 ☐ DISABILITY
 ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

03-11-2019

05-24-2019

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I am a qualified individual who worked for Avancez from June of 2018 to May 24, 2019. In February of 2019, I filed an online grievance with the EEOC. On or about March 22, 2019, I was contacted by the EEOC and filed a charge of discrimination.

On or about March 11, 2019, I was suspended for installing the wrong parts. In March of 2019, my supervisor Steve McGuire "McGuire" reprimanded me for allegedly soliciting while on company time. On or about May 9, 2019, McGuire instructed me to rotate work stations with another co-worker. My Team Leader Liza Chambers "Chambers" instructed me not to comply with McGuire's instructions. On May 9, 2019, I submitted a statement to Human Resources indicating that Chambers had instructed me to not comply with McGuire's instructions. On or about May 13 of 2019, I was accused of cursing at co-workers and threatening

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

Jun 03, 2019

Date

Linda Brooks
Charging Party Signature

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):



FEPA

EC-0080-A19



EEOC

24D-2019-00270

City of Fort Wayne Metro Human Relations Commission

and EEOC

State or local Agency, if any

to harm them in the parking lot. On May 24, 2019, I was terminated for allegedly making threatening remarks.

For these reasons, I believe I have been retaliated against for filing a charge of discrimination, in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Jun 03, 2019*Date**Charging Party Signature***NOTARY – When necessary for State and Local Agency Requirements**

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

Document #3

To: Linda Brooks
2505 Gay Street
Fort Wayne, IN 46803

From: Indianapolis District Office
101 West Ohio St
Suite 1900
Indianapolis, IN 46204

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

470-2019-01848

Marc A. Fishback,
Enforcement Supervisor

(463) 999-1179

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

SEP 10 2019

Enclosures(s)

Michelle Eisele,
District Director

(Date Mailed)

cc:

Andrea Bouchard
HR Representative - AVANCEZ
2155 Executive Hills Drive
Auburn Hills, MI 48326

Document # 4 1 of 2 pages

Incident Report

LOCATION: Avance 2 "CONSOLE STATION"
Z1-S8
"CONTINUITY"

DATE: Thursday 1st August 2018

TIME: 10:23 pm between 2nd shift + 3rd Shift

EMPLOYEES INVOLVED: Brittany 2nd Shift Team Lead
Linda Brooks 3rd Shift Team Member
Avery Gains 2nd Shift Team Member

Brittany J. Tipton

On Thursday 1 August 2018 at 10:23 pm over at the Console Z1-S8 Continuity Station, which is my (Linda Brooks, employee # 3210053) usual work station, I was watching 2nd Shift co-worker MR. Avery Gains.

MR. Gains was doing an excellent job at the Console Z1-S8 Continuity Station, as I was observing, I noticed him Re-adjusting the "20 Test Connector and the TPI Adapter to make the completed console car move to the next station which is the Quality Inspection Station

I approached MR. Gains and explained to him about what the YELLOW LIGHT means, and that the completed Console car will not go to the next station until it the LIGHT turns "GREEN"

Document
#4

2 of 2 pages

The second shift Team Lead "Brittany" rushed over to me and began yelling, pointing her finger at my face screaming "GET OUT OF HERE"

I stepped away from the Console ZI-58 continuity station and witnessed the second shift Team Lead "Brittany" yelling and pointing her finger at Mr. Avery Gains face while being verbally abusive towards him (Mr. Avery Gains).

"Brittany the second shift Team Lead disrupted the "WORK PRODUCTIVITY" as well as the Avancez Team Members COHESIVENESS.

Linda Brooks

5. I Reported this incident to MR Al and I am Requesting to talk with the next person in the chain of management here at Avancez about Brittany's continued HARASSMENT against ME (Linda Brooks) and other Avancez CO-WORKERS. Team Members

Linda Brooks

3rd Shift Console Training and Management **Document #5**

Harassment, Disrespect, Unprofessional Behavior, Discrimination

I have been working at Avancez since June of 2018, working in Console on the Continuity Station, and until my accident, I had perfect attendance and always work overtime without complaint.

Several member of Avancez 3rd shift leadership from the Team Lead to Supervisors have refused to allow me to have the same training on other stations in the Console Department as my co-workers.

I was told by my Team Lead Liza Chambers that (THEY) feel I was too old.

Every time I was allowed train on different stations in the Console Department, soon as Mr. Al and Mr. Steve (3rd shift supervisor) would removed immediately the from training.

When I would ask why I was not receiving proper training, the Supervisor and Team Lead would say the buffer is too high.

Since Mr. Al is not supervisor for Console anymore, Mr. Steve picked up the harassment, disrespect, unprofessional behavior and discrimination.

On Monday 29th October 2018, I was told by Liza Chambers (Console Team Lead) to work the END EFFECTOR ^{station} in the Console Department.

I had worked END EFFECTOR before and did a great job, but because this time I decided to use the END EFFECTOR HOIST, Mr. Steve came over and began grabbing Consoles off the line while I was working causing confusion. Liza Chambers came over when she saw me using the END EFFECTOR HOIST, and said she was going to training me, but Mr. Steve pulled her aside and then she told me to go back to my regular station Continuity. When I asked why she said that Mr. Steve order her to do it.

I approached Mr. Brad and Steve and asked them if I could continue my training on END EFFECTOR Station, and was told no, by Mr. Steve because the buffer was to high or something like that. Well that was a FALSE STATEMENT, not only was it slow, for the rest of the night only about 138 consoles was built. Management CALLED FIRST SHIFT EMPLOYEES TO COME IN TO WORK EVEN THOUGHT THERE WAS NOT ENOUGH WORK FOR THIRD SHIFT.

This left time for Liza Chambers (Team Lead) to harassment me. Liza Chambers told (LEONIA) a new co-worker to go over and work the Continuity Station while I was standing there. I asked Liza Chambers why would you send her over to work Continuity Station without pulling me to the side and telling me you where going to have LEONIA A NEW CO-WORKER WHOM HAD NO TRAINING ON CONTINUITY TO DO MY JOB? Liza Chambers began making FALSE and NEGATIVE STATEMENTS ABOUT MY WORK PERFORMANCE. She use that opportunity to harassment, disrespect, and discriminate against me, her goal was to humiliate me in front of my co-workers, so I asked her to stop but she continued with insults against me.

When Mr. Steve come over to Console area Liza Chambers behavior was more professional and respectable to him she took him to the side and discussed with him.

When Mr. Lonnie come over to Console area Liza Chambers behavior was more professional and respectable to him she took him to the side and discussed with him.

I have been singled out by Mr. Al, Mr. Steve and Liza Chambers.

I AM REQUESTING TO DISCUSS THIS MATTER WITH THE NEXT PERSON IN THE CHAIN OF COMMAND.

Friday 15 February 2019

Document
#6

TO: Mrs. Kathryn Nichols, CEO, Avancez Assembly
2155 Executive Hills Drive
Auburn Hills, MI 48326

FROM: Miss. Linda Brooks TEAM MEMBER, (EMP. #024511) **AGE:** 58

CONSOLE, PRODUCTION LINE

Avancez 12808 Stonebridge Road
Roanoke, IN 46783
Cell Phone **(313)434-6549**

SUBJECT: *AGE DISCRIMINATION*

I have been employed with Avancez (ADVANCE), since June 2018.

Adherence to the **AVANCEZ 11 CORE VALUES** is a daily practice for me while on and off the job. However I was refused proper training, opportunity and harassed by TEAM MEMBERS, TEAM LEAD, SUPERVISOR, and HUMAN RESOURCES because of my "**AGE**".

Younger Team Members are allowed to **sleep on the job, report to work intoxicated, and be rehired after being terminated for attendance.**

PROFANITY as well as the use of the term **(THE "N" WORD)** has been excepted and apart of the almost daily normal vocabulary, at the **Roanoke, Indiana Avancez Plant.**

I have made every attempt to resolve this **AGE DISCRIMINATION** situation only to be harassed in the most severe manner, by TEAM LEAD, SUPERVISOR, MANAGEMENT STAFF and HUMAN RESOURCE.

I have been retaliated against and threatened by my SUPERVISOR and HUMAN RESOURCES MANAGER, Mr. Chad Pieper with **termination if I did not sign a false statement he composed** about me.

I refused to sign this false statement and have had opportunity to speak with the PLANT MANAGER, whom has not responded to my grievance about my **AGE DISCRIMINATION.**

Although I am able to maintain a professional and cohesive work demeanor, the retaliation, harassment I am presently experiencing has cause my U.S. Army Service Connected Disability PTSD to go into relapse. This letter is my attempt to receive assistance to resolve these issues.

Please read the attached incident report I gave to Human Resources in October 2018 it will help explain the **hostile counter productive work environment** at Avancez Roanoke, Indiana Plant.

I want to work with Avancez to bring about resolution concerning these incidents in an expeditious manner.

Thank You, for your time and allowing me this opportunity.

PS: PLEASE READ ATTACHED DOCUMENTS (**Incident Report** and **Resume**)

God Bless

Time: 11:40 pm - 12:10 pm

Place:

INCIDENT REPORT

Document #7

Section #8 pg. #44

Team Member Conduct

At the beginning of 3rd shift the Console Team Lead MS Lisa Chambers directed me (Linda Brooks Console Team Member) to lead the Console Line Team Members in Avancez mandatory stretching exercises.

All Console Line Team Members followed as I led the Avancez mandatory stretching exercises. Except Team Member Christa Summers who was late.

I asked Christa Summers to participate in Avancez mandatory stretching.

Christa Summers response was disrespectful, unprofessional, hostile, abusive, and PROFANE

Document #7

She (Christa Summers) replied by stating "I AM NOT DOING THAT SHIT" "YOU'RE NOT MY SUPERVISOR"

"Steve
Heard
this conversation"

The Supervisor Mr. Steve McGuire questioned Team Member Christa Summers about her profane language and why she is suppose to do [REDACTED] the Avancez mandatory stretching exercise.

Christa Summers has in the pass here at Avancez verbally attacked co workers and myself.

Linda Brooks TM, Counsel.
Linda Brooks

Affidavit

Document # 8

IT ACKNOWLEDGE, that I Carol Hightire of 4409 S. Colonial Ave

RT WAYNE, INDIANA County of ALLEN, the undersigned deponent, being of legal here by depose and say under oath as follows:

I feel LINDA BROOKS was discriminated against because of her age. They did not give her opportunity or proper training on the other stations on the 3rd shift Console Assembly Line.

LINDA was willing to learn all the stations. She would arrive to work early and observe me on the line regularly.

Teamlead on 2nd shift Console Assembly Line "BRITTANY TIPTON" verbally abused LINDA BROOKS on August 1, 2018. "BRITTANY TIPTON" had complaints filed against her by another team member.

LINDA BROOKS confided in me in 2018 how team lead "LIZA" was treating her. She filed a complaint against "LIZA" to Avancez Human Resources. This first complaint LINDA BROOKS filed against "LIZA" was removed from LINDA BROOKS Human Resources file at Avancez. LINDA BROOKS isn't a violent or threatening person. She was defending herself from retaliation.

Contact me at (260)744-1324 leave a message, CAROL HIGHTIRE.

Witness my hand under the penalties of perjury this AUGUST 3RD 2019

Signature of Witness

Name of Witness

Street Address of Witness

City / State / Zip Code

Signature of Deponent

Name of Deponent

Street Address of Deponent

City / State / Zip Code

State of: INDIANA

County of: ALLEN

I, 3rd day of AUGUST, before me, THOMAS E. BROWNLEE - NOTARY PUBLIC

personally appeared CAROL HIGHTIRE, personally know to me (or proved to me on the basis of satisfactory evidence) to be person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that his/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the

WITNESS MY HAND AND OFFICAL SEAL

Signature Thomas E. Brownlee THOMAS E. BROWNLEE

Affiant ☒ Known ☐ Unknown

